

Message Text

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FM AMEMBASSY TEGUCIGALPA
TO SECSTATE WASHDC IMMEDIATE 9095

C O N F I D E N T I A L TEGUCIGALPA 0205

FOR ASSISTANT SECRETARY TODMAN

EO 11652 GDS
TAGS: OVIP, HO (TODMAN, TERENCE A)
SUBJECT: TODMAN VISIT: TALKING POINTS FOR CALLS ON CHIEF OF STATE
AND FONMIN

REF: MATTHEWS-BARTCH TELCON JAN 11

1. FOLLOWING ARE ISSUES WHICH WE BELIEVE CHIEF OF STATE MELGAR
AND FONMIN PALMA WILL RAISE WHEN YOU CALL ON THEM JANUARY 24:

A. U.S. VIEWS ON RESOLUTION OF THE BORDER DISPUTE WITH EL
SALVADOR:

DEPENDING ON DEVELOPMENTS DURING THE NEXT TWO WEEKS, THE
GOH WILL WANT TO BRING YOU UP TO DATE ON THE PROGRESS
TOWARD MEDIATION. FONMIN WILL PROBABLY EXPRESS
APPRECIATION FOR, AND REQUEST CONTINUATION OF WHAT THE
GOH PERCEIVES AS BENEFICIAL EXPRESSIONS OF U.S.
INTEREST IN RESOLUTION OF DISPUTE. THE GOH DOES NOT
SEEK DIRECT USG INVOLVEMENT, BUT FEELS THAT
EXPRESSIONS OF OUR INTEREST IN THE BORDER PROBLEM AND
ITS RESOLUTION ENCOURAGES EL SALVADOR TO NEGOTIATE
SERIOUSLY. WE SUGGEST YOU EXPRESS PLEASURE AT THE
PROGRESS MADE TO DATE ON THE PRESENT INITIATIVE AND
REITERATE IMPORTANCE WE ATTACH TO RESOLUTION OF THE BORDER
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PROBLEM AND THE MOVEMENT TOWARD RESTORATION OF TRADE
BETWEEN THE TWO COUNTRIES.

B. EL CAJON:

BOTH MELGAR AND PALMA ARE LIKELY TO RAISE THIS. WHEN MELGAR
AND PALMA VISITED WASHINGTON LAST SEPTEMBER, PRESIDENT CARTER

EXPRESSED HIS INTEREST IN THE PROJECT AND INDICATED THAT THE U.S. WOULD SUPPORT HONDURAS' EFFORTS TO GAIN ADDITIONAL FINANCING IN THE INTERNATIONAL FINANCIAL INSTITUTIONS. THE LATEST WORD WE HAVE HAD IS THAT THE IFI'S ARE PREPARING FURTHER STUDIES OF THE PROJECT, BUT THE DEPARTMENT MAY HAVE MORE CURRENT INFORMATION THAN WE HAVE.

2. THE EMBASSY RECOMMENDS YOU RAISE THE FOLLOWING MATTERS:

A. ELECTORAL LAW:

HONDURAS HAS RECENTLY APPROVED AN ELECTORAL LAW THAT PROVIDES A FRAMEWORK WITHIN WHICH THE COUNTRY WILL ELECT DELEGATES TO A CONSTITUENT ASSEMBLY SOMETIME IN 1979. THE LAW HAS RECEIVED GENERAL APPROVAL ALTHOUGH SOME HAVE COMPLAINED THAT THE TIME-TABLE IS TOO INDEFINITE. THE GOVERNMENT APPEARS TO HAVE EVERY INTENTION OF IMPLEMENTING THE LAW. WHAT IS NOT YET CLEAR IS WHETHER THE CONSTITUENT ASSEMBLY WILL CONVOKE CONGRESSIONAL AND PRESIDENTIAL ELECTIONS OR DECLARE ITSELF THE LEGISLATURE AND PROCEED TO DIRECTLY ELECT THE PRESIDENT. THERE ARE PRECEDENTS IN RECENT HONDURAN HISTORY FOR BOTH PROCEDURES. YOU MAY WISH TO CONGRATULATE THE COUNTRY FOR ITS ADHERENCE TO THE SCHEDULE THAT GENERAL MELGAR ANNOUNCED DURING HIS VISIT TO WASHINGTON LAST SEPTEMBER.

B. HUMAN RIGHTS: MONTEVIDEO OASGA
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DEPENDING ON THE OUTCOME OF THIS ISSUE, YOU SHOULD EXPRESS APPRECIATION FOR HONDURAS' SUPPORT FOR OUR EFFORTS, IN REGARD TO MONTEVIDEO OASGA, AND MENTION HONDURAS' FAVORABLE RECORD ON HUMAN RIGHTS.

C. OLANCHO MASSACRE:

FOURTEEN PERSONS, INCLUDING AN AMERICAN PRIEST, FATHER JEROME CYPHER, WERE KILLED IN AN OUTBURST OF VIOLENCE IN JUNE 1975 IN REMOTE OLANCHO PROVINCE DUE TO AGRARIAN UNREST. THE LANDOWNERS WHO TOOK THIS VIOLENT, VIGILANTE ACTION WERE SUPPORTED BY SOME MILITARY OFFICERS IN THE AREA, ALTHOUGH THERE IS NO INDICATION THAT THEY WERE ACTING ON GOVERNMENT ORDERS. SEVERAL LANDOWNERS AND OFFICERS WERE ARRESTED AND HAVE BEEN HELD IN PRISON SINCE JULY 1975 WHILE UNDERGOING TRIAL. THE OLANCHO INCIDENTS WERE INVESTIGATED BY AMNESTY INTERNATIONAL), WHICH HAS WRITTEN CHIEF OF STATE MELGAR TO EXPRESS RECOGNITION OF THE GOVERNMENT'S EFFORTS TO RESOLVE THE AGRARIAN CRISIS. ALTHOUGH EXPECTED MOMENTARILY, THE COURT HAS NOT YET REACHED A DECISION ON THIS CASE. IF THE VERDICT HAS BEEN ANNOUNED BY THE TIME OF YOUR VISIT AND IT IS PERCEIVED TO BE A JUST ONE, YOU SHOULD

EXPRESS THE USG'S SATISFACTION THAT THE PROCESS HAS BEEN COMPLETED. IF A VERDICT HAS NOT YET BEEN ANNOUNCED, WE SUGGEST YOU RAISE THE ISSUE BY NOTING OUR CONTINUED INTEREST IN THIS CASE.

D. PROVINI CASE:

THIS IS ANOTHER CASE INVOLVING AN AMERICAN CITIZEN AND THE SLOW-

MOVING HONDURAN JUDICIAL SYSTEM. MS. PROVINI, A PEACE CORPS VOLUNTEER, WAS KILLED IN A HIT-AND-RUN AUTOMOBILE ACCIDENT IN JULY 1976. THE EMBASSY, ON DEPARTMENT INSTRUCTIONS, HAS RAISED THIS ISSUE SEVERAL TIMES WITH THE FONMIN. YOU SHOULD ASK FOR INFORMATION ON THE PRESENT STATUS OF THE CASE (IN FACT THE JUDGE IS APPARENTLY STILL INTERVIEWING DEFENSE WITNESSES AND CONFIDENTIAL

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HAS NOT EVEN STARTED THE CROSS-EXAMINATION SECOND STAGE) AND EMPHASIZE THE GREATER URGENCY THAT THE MATTER MOVE RAPIDLY NOW IN LIGHT OF THE IMMINENT DEPARTURE OF SOME OF THE PEACE CORPS WITNESSES TO THE ACCIDENT.

3. ISSUES TO BE AVOIDED:

WE STRONGLY BELIEVE YOU SHOULD NOT REPEAT NOT RAISE DEL WEBB CLAIM IN ANY OF YOUR CONVERSATIONS WITH GOH OFFICIALS. EMBASSY HAS FULLY ASSISTED AND SUPPORTED EL WEBB REPRESENTATIVE JOHN BURNE IN MAKING APPOINTMENTS WITH KEY OFFICIALS ON HIS RECENT VISITS HERE, ARRANGED FOR COMPANY TO APPOINT A LOCAL LAWYER (WHO IS ACTIVELY PURSUING CLAIM WITH GOH) AND HAS CONTINUED TO MAKE KNOWN ITS INTEREST IN REACHING SETTLEMENT. WHEN SENATOR DECONCINI WAS HERE LAST MONTH, AT HIS REQUEST EMBASSY ARRANGED APPOINTMENT FOR HIM, BURNE, AND LOCAL LAWYER, ACCOMPANIED BY EMBOF, TO DISCUSS CASE WITH FINANCE MINISTER. INASMUCH AS COMPANY HAS NOT EXHAUSTED LEGAL REMEDIES AVAILABLE TO IT IN SEEKING SETTLEMENT OF CLAIM, WE BELIEVE ANY HIGH-LEVEL APPROACH ON OUR PART AT THIS TIME WOULD BE MISUNDERSTOOD AND RESENTED BY GOH, PARTICULARLY SO SOON AFTER SENATOR'S DEMARCHE.

4. SUGGEST YOU RAISE ELECTORAL LAW AND HUMAN RIGHTS WITH CHIEF OF STATE AND OLANCHO AND PROVINI CASES WITH FONMIN. IF WE ARE ABLE TO ASCERTAIN THAT OTHER SUBJECTS MAY BE RAISED, WE SHALL INFORM DEPARTMENT IMMEDIATELY.
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